

1 MARK E. FERRARIO, ESQ.
2 Nevada Bar No. 01625
3 CHRISTOPHER R. MILTENBERGER, ESQ.
4 Nevada Bar No. 10153
5 JERRELL L. BERRIOS, ESQ.
6 Nevada Bar No. 15504
7 GREENBERG TRAURIG, LLP
8 10845 Griffith Peak Drive, Suite 600
9 Las Vegas, Nevada 89135
Telephone: (702) 792-3773
Facsimile: (702) 792-9002
E-mail: ferrariom@gtlaw.com
miltenbergerc@gtlaw.com
berriosj@gtlaw.com

10
11 *Counsel for Plaintiff/Counter-Defendant*
12 *Live Ventures Incorporated*

13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 LIVE VENTURES INCORPORATED, a
16 Nevada corporation,

17 Plaintiff,

18 vs.

19 GEMSPRING CAPITAL MANAGEMENT,
20 LLC, a Delaware limited liability company;
DOES I through X; and ROE ENTITIES I
through X, inclusive,

21 Defendants.

22 GEMSPRING CAPITAL MANAGEMENT,
23 LLC, a Delaware limited liability company;

24 Counter-Plaintiff,

25 vs.

26 LIVE VENTURES INCORPORATED, a
27 Nevada corporation,

28 Counter-Defendant.

Case No.: 2:22-cv-00067-JAD-BNW

**STIPULATION AND ORDER TO
DISMISS CASE WITH
PREJUDICE**

ECF No. 26

29 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), LR I-A 6-2, and LR 7-1,
30 Plaintiff/Counter-Defendant Live Ventures Incorporated and Defendant/Counter-Plaintiff
31 Gemspring Capital Management, LLC, by and through their respective undersigned counsel,

1 being the only parties who have made an appearance in this action and having reached an
2 agreement to resolve all outstanding issues between them, hereby stipulate to DISMISS the
3 above-captioned matter WITH PREJUDICE in its entirety.

4 The parties further stipulate and agree that each party shall bear its own respective
5 attorneys' fees, costs, and expenses in connection with and related to the above-captioned matter.

6 DATED this 27th day of June, 2022.

DATED this 27th day of June, 2022.

7 GREENBERG TRAURIG, LLP

8 AKERMAN LLP

9 By: /s/ Christopher R. Miltenberger

10 Mark E. Ferrario, Esq.
Nevada Bar No. 1625
11 Christopher R. Miltenberger, Esq.
Nevada Bar No. 10153
12 Jerrell L. Berrios, Esq.
Nevada Bar No. 15504

13 10845 Griffith Peak Drive, Suite 600
14 Las Vegas, NV 89135

15 *Attorneys for Plaintiff/Counter-Defendant*
16 *Live Ventures Incorporated*

By: /s/ Melanie D. Morgan

Melanie D. Morgan, Esq.
Nevada Bar No. 8215
1635 Village Center Circle, Suite 200
Las Vegas, NV 89134

Jason S. Oletsky, Esq.
Admitted pro hac vice
Dustin B. Hillsley, Esq.
Admitted pro hac vice
201 East Las Olas Blvd, Suite 1800
Fort Lauderdale, FL 33301

17 *Attorneys for Defendant/Counter-Plaintiff*
18 *Gemspring Capital Management, LLC*

19 ORDER

20 Based on the parties' stipulation [ECF No. 26] and good cause appearing, IT IS
21 HEREBY ORDERED that THIS ACTION IS DISMISSED with prejudice, each side to bear its
22 own fees and costs. The Clerk of Court is directed to CLOSE THIS CASE.

23 
24 U.S. District Judge Jennifer A. Dorsey
25 Dated: June 30, 2022